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REMARKS

Applicants appreciate the thorough examination of the present application as evidenced by the Office Action mailed December 15, 2006 (hereinafter "Office Action"). In response, Applicants have amended independent Claims 1 and 20 to clarify that the elongated second portion of the flexible film has an inner end that is adjacent to the first portion of the flexible film and an outer end that extends away from the first portion. The outer end is connected to a speaker and the second portion is bent such that both the speaker and the outer end of the second portion are positioned at an aperture in the first portion. Applicants have also corrected an informality in dependent Claim 21 to overcome a 35 U.S.C. §112 rejection. Applicants respectfully submit that the cited reference fails to disclose or suggest, at least, the recitations of the independent claims as amended. Therefore, Applicants respectfully submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

Priority

Applicants confirm that the present application is the national phase entry under 35 U.S.C. §371 of International Application No. PCT/EP2004/001003. Applicants further confirm that International Application No. PCT/EP2004/001003 claims priority to European Patent Application No. 03445020.5, filed February 10, 2003, and United States Provisional Application No. 60/449,701 filed February 24, 2003 as indicated in International Publication No. WO 2004/070871 A1.

Section 112 Rejection

Dependent Claim 21 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants agree with the Examiner's interpretation that the recitation "first conductive surface portion of the lead" should be "first conductive surface portion and the lead" and have amended dependent Claim 21 accordingly.

Independent Claims 1 and 20 are Patentable

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Independent Claims 1 and 20 stand rejected under 35 U.S.C. §102(e) as being anticipated by International Publication No. WO 02/35810 to Nevermann (hereinafter "Nevermann") with reference being made to U. S. Patent Application No. 6,980,157 as the English translation of the Nevermann reference. (Office Action, page 3). As stated above, independent Claims 1 and 20 have been amended to clarify that the elongated second portion of the flexible film has an inner end that is adjacent to the first portion of the flexible film and an outer end that extends away from the first portion. The outer end is connected to a speaker and the second portion is bent such that both the speaker and the outer end of the second portion are positioned at an aperture in the first portion. For example, Claim 1 recites, in part:

a sheet of a flexible film having a conductive first portion forming a first antenna element, and an elongated second portion carrying a conductive lead extending away from an inner end of said elongated second portion adjacent to said first portion to a speaker connected to an outer end of said elongated second portion;

wherein said elongated second portion is bent such that said speaker and said outer end of said elongated second portion are positioned at an aperture in said first portion.

Independent Claim 20 includes similar recitations. As shown in FIGS. 5 and 9 of the present application, the elongated second portion 33 includes an inner end that is adjacent to the first portion 31 and an outer end that is connected to a speaker 41. Because the second portion 33 is flexible, the second portion may be bent to position the speaker and the outer end at the aperture 32 in the first portion 31 as shown in FIG. 9.

The Office Action rejects independent Claims 1 and 20 using two different interpretations of Nevermann's disclosure. (Office Action, pages 3 and 5). In the first interpretation, the Office Action alleges that the plastic body 11 corresponds to the flexible film, the conducting area 1b corresponds to the conductive first portion, and the conducting patterns 15 correspond to the elongated second portion. (Office Action, page 4). As an initial matter, Applicants submit that the plastic body 11 cannot correspond to the recited flexible film because the plastic body 11 is not flexible, but is instead designed to be rigid. Nevermann explains that the plastic body 11 is used to create a cavity 5 (Nevermann, col. 3, lines 21 - 23) and "[t]he cavity 5 is

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therefore chosen to be as large as possible, while taking care that the remaining wall thickness of the plastic body 11 guarantees sufficient rigidity." (Nevermann, col. 3, lines 24 - 27; emphasis added).

In addition, independent Claims 1 and 20 describe the outer end of the second portion, which extends away from the first portion and is connected to the speaker, as being positioned at the aperture in the first portion due to the flexibility of the second portion. As Claims 1 and 20 also describe the aperture as being in the first portion, the end of the conductive patterns 15 that contains contact points 17 shown in FIG. 5 of Nevermann must be the outer end of the second portion as this end of the conductive patterns 15 extends away from the aperture 6. In sharp contrast with the recitations of Claims 1 and 20, however, the end of the conductive patterns 15 that contains the contact points 17 is not positioned along with a speaker at the aperture 6. In fact, the conductive patterns 15 shown in FIG. 5 of Nevermann, while bent, do not appear to be bendable to change their position once they are integrated into the conducting pattern 1b.

Turning next to the second interpretation of Nevermann's teachings, the Office Action alleges that the conducting area 1b corresponds to the flexible film and the conductive first portion, and the conducting patterns 15 correspond to the elongated second portion. (Office Action, pages 5 and 6). As discussed above, the end of the conductive patterns 15 that extends away from the conducting area 1b containing the aperture 6 (i.e., the end of the conductive patterns 15 with the contact points 17) is not bent so as to be positioned along with a speaker at the aperture 6.

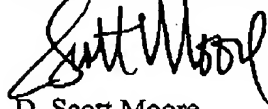
For at least these reasons, Applicants respectfully submit that Claims 1 and 20 are patentable over Nevermann and that Claims 2 - 19 and 21 - 23 are patentable for at least the reason that they depend from an allowable claim.

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

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